



SAN BRUNO CITY COUNCIL
ADJOURNED AND REGULAR MEETING
MINUTES of 02/24/2004

THIS IS TO CERTIFY THAT:

The San Bruno City Council met in adjourned session February 24, 2004 at the San Bruno Senior Center 1555 Crystal Springs Road to interview applicants **for boards, committees, and commissions. Mayor Franzella presiding called meeting to order at 6:30 p.m. and also present were Councilmembers O'Connell, Pallas, Ibarra, and Ruane. City Clerk Simon recording.**

There are five (5) vacancies, one on each of the following boards, committees, and commissions: Community Preparedness, Citizens Crime Prevention, Traffic Safety & Parking, Caltrain Citizens Advisory on Grade Separation & Station Design, and the Parks and Recreation Commission.

Appointments will be made at the next regular Council meeting on March 9, 2004.

The following individuals were interviewed Bill Bishop, Gregory Pierce, Robert Hanely, James Prescott, Maria Lucy Zamattia, Dena Gunning, David Papageorgiou, Leo Martinez, Scott Hale, and Stephen Pieraldi. With no other business to transaction, meeting was adjourned to the regular meeting at 7:10 P.M.

Mayor Franzella thanked the **San Bruno Garden Club** for providing the beautiful floral arrangement.

ROLL CALL: The regular meeting was called to order at 7:15 p.m. with Mayor Franzella presiding. Present were Vice Mayor O'Connell, Councilmembers Ruane, Ibarra, and Pallas with Clerk Simon recording.

PLEDGE OF ALLEGIANCE: Fire Chief Dan Voreyer led us in the Pledge of Allegiance.

ANNOUNCEMENTS: Mayor Franzella congratulated **Dan Voreyer** on being selected as the San Bruno Fire Chief.

San Bruno Redevelopment Agency meeting will follow tonight's City Council meeting in order to approve a request for proposal (RFP) to develop Agency property at 470 San Mateo Avenue. (Former Wells Fargo Bank site)

PRESENTATIONS: Mayor Franzella introduced Howard Goode, Manager of Samtrans and speaker for the San Mateo County Transportation Authority, who presented information on the expenditure and work plan for reauthorization of **Measure A half-cent transportation sales tax** passed by voters in 1988. Copies of the PowerPoint presentation were given to the City Clerk for public review. **Councilmember Pallas** wanted to know if the Grade Separation would be killed for lack of funding if Measure A does not pass? Mr. Goode replied that funds are already committed from the existing Measure A funds and the Grade Separation would not be affected by the reauthorization being discussed tonight. **Councilmember Ibarra** clarified that the current Measure A is in effect until 2008 and we would be voting this November for a 20-year extension.

Alan Lubke of Fleetwood Drive, happy with BART and other public transportation. Wants signs to aid persons on Hwy 280, 380, and 101 looking for the BART station. Signage is very unfriendly at the San Bruno BART station. The area Northeast of the BART station has become a dumping ground for trash.

REVIEW OF AGENDA: No changes were made.

APPROVAL OF MINUTES: For the regular Council meeting of February 10, 2004, minutes approved as submitted.

CONSENT CALENDAR: All items listed are considered routine or implement an earlier Council action and may be enacted by one motion; there will be no separate discussion unless requested by Councilmember, citizen or staff.

- a. **Approve: Payroll** of February 13, 2004
- b. **Approve: Accounts Payable** of January 26, 2004 and February 2, & 9, 2004. (Council Packets only, copy is available for review at the City Clerk's office)
- c. **Accept: Reconciliation of General Ledger** to Bank reports and the **Investment** reports dated January 31, 2004, as submitted by City Treasurer Karen Hornung.
- d. **Accept: Certificate of City Clerk**, certifying appointment of the **Senior Citizens Advisory Board** members at its February 17, 2004, board meeting. The February 4, 2004, election was canceled since at the close of the nomination period, **Loretta Groulx** and **Tony Geraldi**, were the only candidates for the two seats.
- e. **Approve: Out of state travel** for CATV Director Gyaltsen and System Engineer Johnson, who will be attending the **National Conference of Cable Television Association's Show** in New Orleans, LA. on May 1 to 5, 2004. **M/S Ruane/Ibarra** to approve the consent calendar and passed by unanimous vote.

PUBLIC HEARINGS: None

(Notice of upcoming hearings on March 9, 2004)

Introduction of San Bruno Ordinance amending the San Bruno Municipal Code regarding regulations for municipal services (Utilities and Cable) including procedures for terminating service and reduced rates for low-income customers.

Introduction of First Amendment to the Owner Participation Agreement (OPA) between the City of San Bruno Redevelopment Agency and The Crossing Apartment Associates LLC dated December 11, 2002 clarifying changes in financial analysis relation to cable access rights revenue which result in a change in the maximum Affordable Housing Subsidies Cap from \$300,000 to \$311,040 annually.

UNFINISHED BUSINESS: -Continued from the February 10, 2004 Council meeting:

Waive first reading, and introduce **San Bruno Ordinance No. 1690** amending San Bruno Municipal Code Section 9.08.10 (**Parks and Recreation Commission By-Laws**). Amendments will decrease members to nine by eliminating one of the two student representatives, and with the exception of the one student representative, all other members will be designated as general members. Section 9.08.20 (**Members-Terms**) reflects that all general members serve four-year staggered terms with the exception of the one student member who shall serve a single two-year term. Other clean up language and formatting have been inserted as recommended by the Parks and Recreation Commission.

Mayor Franzella informed the public that this issue had been brought back to the Parks and Recreation Commission for their concurrence with putting the language "except for the Senior Center" back into the By-Laws. It was acceptable by unanimous vote of the Commission. **Councilmember Ibarra** requested the Chair of the Parks and Recreation Commission clarify the discussion which took place regarding putting back the deleted wording. Chair Rico Medina addressed the City Council and said in order to ensure absolute clarity of the importance of the Senior Center operation overview by the Senior Advisory Board, the Parks and Recreation Commission voted unanimously to re-insert the language as recommended by Councilmember Pallas at the last Council meeting. **Councilmember Ibarra** stated he is satisfied now that the reasons have been validated and there is no intention of taking away any authority of the Senior Advisory Board. He apologized to anyone who may have felt otherwise. Chair Medina stated he represents the entire body of the Commission and he also is very supportive of the Senior Advisory Board and the great work they do for the Senior Center and recommends the City Council approve the By-Law revisions. **M/S Ibarra/Pallas** to waive the first reading and passed unanimously. **Councilmember Ibarra** introduced the ordinance with the changes as stated and passed unanimously with roll call vote.

CALL FOR, PRESENTATION OF BIDS, and AWARD OF CONTRACTS: None

COMMUNICATIONS:

Councilmember Ibarra read a notice of free CPR classes being held at the College of San Mateo and given by the American Red Cross this Saturday February 28, 2004. www.bayarea.redcross.org is Web site for more information.

STAFF REPORTS:

Adopt resolution authorizing the City Manager to execute a **Memorandum of Understanding** between the Peninsula Corridor Joint Powers Board and the City of San Bruno regarding the development of a **grade separation, additional tracks, and station relocation** in the City of San Bruno.

Public Works Director Munns gave the staff report. He stated that the JPB would be the lead Agency and project sponsor. There are some outstanding issues, which will be resolved during the final design phase. The fiscal impacts are limited to “betterments & improvements” to City infrastructure. **Councilmember Ibarra** requested the outstanding issues be made part of the MOU and feels the CAC would want this action to eliminate any possible misunderstanding in the future. Howard Goode indicated that the JPB would be willing to except including the unresolved issues. **Councilmember Ruane** again thanked the Citizens Advisory Committee on Caltrain Grade Separation and said we will be having more meetings to complete this important project. **Councilmember Pallas** said the exact fiscal impact for the City is unknown at this time and it seems like whenever we negotiate with other agencies we lose. He is concerned about the impact on Artichoke’s Joes Casino during any construction. There has only been five (5) people killed in twenty (20) years by trains in San Bruno and this doesn’t seem too dangerous.

Councilmember Ruane said one of the CAC members is from Artichokes Joes and he voted in favor of the grade separation. **Mayor Franzella** requested that anyone wishing to address the Council do so now.

Scott Buschman Claremont Drive said the design of the retaining wall would separate the City. There will be a “closed in” effect on people living on 1st Avenue.

Rose Urbach Euclid Avenue said we should consider the people that live near the impacted area. When will there be an end to the work.

Robert Riechel 7th Avenue said he is in favor of the grade separation and that Mr. Pallas is not addressing the fact that they are adding two more additional tracks through San Bruno and the higher speeds will create a safety problem in crossing that many tracks.

Casey Kraus Olive Court said the City is growing and by elevating the train tracks this may help the City deal with the impacts.

Councilmember Ruane introduced the resolution for adoption and roll call vote taken, Ruane, Ibarra, O’Connell, Franzella Yes, and Pallas No.

Acting Fire Chief Voreyer recommended City Council approve resolution declaring surplus City property and authorizing sale of a 1997 **Fire Rescue Vehicle**. **Councilmember Ruane** introduced the resolution for adoption and a roll call vote was taken with all Ayes.

City Manager Jackson presented an oral report updating the City Council on actions taken to implement the **FY 2003-05 Budget Reorganization and Revision Plan**. An overview was given of the actions taken to meet the revenue shortfalls. Reduction of hours opened to the public at the Recreation Center has been implemented. The Library is now closed on Sundays and the Library Director has indicated that there has been increased activity during the week because of this action. Planned sale of police motorcycle and replacement of fewer patrol cars is completed. Reduction in some community program funding has taken place. Salary savings have come from additional vacant positions in both the Police and Finance departments. The authorized number of positions has been reduced by 15, or 8% of staff. Added to the previous cuts we are at \$3,000,000 in cuts in the last nine (9) months. **Fire Chief Voreyer** clarified the out of service days, “brown-outs”. There will be three (3) firefighters on duty at Station 51 instead of six (6); however, a truck will still respond from another station. The response time will be just like we have now and less impact on the community. **Finance Director O’Leary** reviewed spreadsheets forecasting City financing for the future and how we will end up June 30, 2004. PERS expense has risen significantly

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and sales tax and interest revenue have been reduced substantially. The loss of sales tax from Internet sales will be a factor to consider in the near future. The general fund balance will be positive at fiscal year end. **Councilmember Pallas** asked what the dollar amount of revenue reduction was to the Redevelopment Agency? Mr. O’Leary stated approximately \$50,000.

Mayor Franzella stated that as soon as we know whether propositions 57 & 58 pass or fail next week, we need to have a study session to address the projected deficits. If we are looking at a \$1,500,000 shortfall in the next two years, what services will we have to give up to keep us in the black? **Councilmember Ruane** said he agrees that we must address this now. **Councilmember Pallas** would like the City to work with the Chamber to make sure our business community remains strong. **Mayor Franzella** thanked the staff for all the hard work that went into making the cuts and putting this report together.

REPORT OF CITY ATTORNEY - RESOLUTIONS & ORDINANCES: None

PUBLIC COMMENT ON ITEMS NOT ON AGENDA:

Rico Medina of Green Avenue thanked the Police Department for their quick response to a disturbance in his neighborhood.

Maria Plascencia of 3rd Avenue requested City Council and the San Bruno Community’s support to stop the deportation proceedings against her family. Rep. Tom Lantos is helping but Senator Diane Feinstein has still not agreed to support legislation needed. Please send letters in support to Diane Feinstein on the family’s behalf. **Mayor Franzella** said he would contact Senator Feinstein.

Mike Kaiser of 5th Avenue made a presentation on behalf of the Parent Boosters of Troop 72 and donated the Brass Bell from the USS Navy Ship Thompson DD-212. The bell came from the US Naval Base in San Bruno and was made in 1919, the same year Troop 72 was established.

Mayor Franzella thanked Mr. Kaiser and the Boy Scout troop for the gift.

REPORT OF COMMISSIONS, BOARDS, & COMMITTEES:

Emergency Preparedness Committee recommended City Council approve amendments to By-Laws.

M/S Ruane/Pallas to approve with minor corrections given by staff. Passed unanimously.

Councilmember Pallas gave a report from the **Project Pride Committee** on plans for the Annual Easter Egg Hunt being scheduled for Saturday April 3, 2004.

NEW BUSINESS: Councilmember Pallas read from a Finland study that “well” water with minerals or hard water, reduces heart attacks.

Mayor Franzella recessed the Council meeting at 8:45 p.m. and called the San Bruno Redevelopment Agency to order. (See minutes of the Redevelopment Agency Meeting)

Meeting was reconvened at 9:05 p.m. and the Council went into executive session with the City Attorney, City Manager, and the Chief of Police.

City Attorney Thompson requested **closed session** regarding **pending litigation**. City of San Bruno vs. BART, USDC Case No. C-03-04249 VW.

Mayor Franzella reconvened the Council Meeting at 9:15 p.m. and reported that direction was given to the City Attorney regarding pending litigation with BART.

ADJOURNMENT:

With no further business to transact, meeting adjourned **to the regular City Council meeting March 9, 2004**, starting at 7:00 p.m. (1555 Crystal Springs Road).

**Respectfully submitted for approval at
the regular meeting of the San Bruno City
Council held March 9, 2004**

Ed Simon, City Clerk

Larry Franzella, Mayor